



Focus

Prioritizing Water Resources Permitting Work

Water right applications are processed through Ecology's regional and field offices. Geographically, there are four regions serving Washington State. This organization encourages locally-based water right actions. Each water right application is evaluated individually, but for the purpose of efficiency, several applications may be investigated together. Generally, water right decisions within each region are made on the basis of *priority*, or the date that an application is received, from oldest to youngest, within a source of water. This focus sheet describes how permitting work within the regions may be further prioritized.

Organization and management of work load

Because it is not possible for Ecology permit writing staff to work in all of Washington's water basins at the same time, the department may define and prioritize discrete water sources within a region and assign staff to work on applications for that water source. Ecology will select a water source for investigation based on:

- The number and age of pending applications, and the quantities of water requested;
- The ability of Ecology to efficiently investigate applications based on availability of data on water supply and future needs, streamflow needs, and the hydrogeology of the basin;
- The ability of Ecology to support implementation of local land use plans or implementation of water resource plans;
- The projected population and economic growth in the area; and
- The completion of an initial basin assessment.

When several applications compete for water from the same water source, applications may be investigated together, evaluated individually, and decisions will be made in the order in which the applications were received.

Basin Assessments

Basin assessments are conducted to compile available information to determine the water availability characteristics of the hydrologic system, a component required to make water right decisions. Ecology may prioritize water sources and conduct basin assessments to increase efficiency in the permitting process. Typically, information collected in an assessment relates to water use, water availability, quantity of water already allocated to existing rights and claims, instream flows, and the hydrology of a basin. The criteria Ecology will use for selecting a basin to assess include:

- The number and age of pending applications, and the quantities of water requested;
- The projected population, growth and off-stream needs for water in the area;
- Known water quality problems;
- Existence of distressed or endangered fish stocks; flow rights);
- Risk of impairment to senior rights (including instream flow rights);

- Availability of data related to water supply and future need, streamflow needs for instream values, and hydrogeology of the basin;
- The number of claims to water rights; and
- The ability of the department to support local land use activities.

Basin assessments may be done by Ecology, or by public or private parties through an agreement with Ecology. Ecology may conduct multiple basin assessments within a region at the same time. There will be a newspaper notice of the intent to conduct a basin assessment published prior to the work beginning, so that the public will know of Ecology's priorities. Water right applications in the assessed area will be held until the initial basin assessment is complete, except for those applications prioritized ahead of the others as described below.

The public will be invited to evaluate basin assessments when they are completed to assess the data, analysis, and presentation of information for quality, adequacy, and utility to make permit decisions. If sufficient information exists, Ecology will make application decisions. If sufficient information does not exist, additional investigations may then be designed and conducted, or Ecology may choose to withdraw the water source from appropriation by adopting a rule. When completed, the basin assessments will be published as an open-file technical report.

Application Processing Priorities

Under certain circumstances, an application may be taken out of priority order, and processed ahead of others. The four circumstances under which an application may receive priority processing are described below.

- 1) The application resolves or alleviates a public health or safety emergency caused by a failing public water supply system currently providing potable water to existing users. To be considered a failing public water system, the system must meet one or more of the following conditions:
 - The department determines a public water system has failed, or is in danger of failing within one year, to meet state board of health standards for the delivery of potable water to existing users in adequate quantity or quality to meet basic human drinking, cooking and sanitation needs;
 - The current water source has failed or will fail so that the public water system is or will become incapable of exercising its existing water right to meet existing needs for drinking, cooking and sanitation purposes after all reasonable conservation efforts have been implemented; or
 - A change in source is required to meet drinking water quality standards and avoid unreasonable treatment costs, or the Department of Health determines that the existing source of supply is unacceptable for human use.

Please note: Inadequate water rights for a public water system to serve existing hook-ups or to accommodate future population growth or other future uses do not constitute a public health or safety emergency.

- 2) The department determines that immediate action is necessary for preservation of public health or safety.

- 3) The proposed water use is non-consumptive and, if approved, would substantially enhance or protect the quality of the natural environment.

4) An application for change or transfer to an existing water right may be processed prior to competing applications provided one or more of the following criteria are satisfied:

- The change or transfer, if approved, would substantially enhance the quality of the natural environment;
- The change or transfer, if approved, would result in providing public water supplies to meet general needs of the public for regional areas;
- The change or transfer was filed by water right holders participating in an adjudication, and a decision is needed expeditiously to ensure that orders or decrees of the superior court will be representative of the current water use situation.

Among applications considered for prioritizing, the following priority order applies:

- Public health and safety emergencies;
- Preservation of other public health and safety concerns;
- Transfers or changes to enhance environmental quality;
- Transfers or changes for public water supplies to meet general needs;
- Transfers or changes required by orders or decrees of courts; and
- Non-consumptive uses that, if approved, would substantially enhance or protect the quality of the natural environment.

Water right applicants may request priority review of an application by writing to the regional office where the application is filed. Applicants must be able to demonstrate how they meet the criteria for priority processing. Meeting one or more of the criteria does not guarantee an application will receive priority processing. Competing workload priorities, local conditions, and other laws or regulations may affect Ecology's ability to process an application. All applications given priority consideration are still subject to evaluation consistent with state law.

For more Information

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Southwest Regional Office	PO Box 47775 Olympia, WA 98504-7775	(360) 407-6300 TDD (360) 407-6306
Eastern Regional Office	N. 4601 Monroe, Suite 202 Spokane, WA 99205-1295	(509) 456-2926 TDD (509) 458-2055
Central Regional Office	15 W. Yakima Ave., Ste. 200 Yakima, WA 98902-3401	(509) 575-2597 TDD (509) 454-7673
Vancouver Field Office	2108 Grand Boulevard Vancouver, WA 98661-4622	(360) 690-7171 TDD (360) 690-7147
Nooksack Field Office	1204 Railroad Avenue, Suite 200 Bellingham, WA 98225	(360) 738-6250

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If you have special accommodation needs or require this document in an alternative format, please contact Paula Smith at (360) 407-6607 (Voice) or (360) 407-6006 (TDD).